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October 13, 2004

TO: Examiner Hayes (TC1600)

GROUP: 1647

FAX NUMBER: 703-872-9306

ATTORNEY DOCKET NO.: UT-0030

SERIAL NO.: 09/736,728

FILED: December 14, 2000

NUMBER OF PAGES: 7

MESSAGE: Attached please find copy of Notice of Non-Compliant Amendment (37 CFR 1.121) dated October 6, 2004 setting a one (1) month statutory period for response; re-submission of the entire "Amendments to the claims" section of applicant's amendment document filed September 30, 2004 corrected in accordance with the October 6, 2004 notice; and Certificate of Transmission by Facsimile.

Respectfully submitted,

Kathleen A. Tyrrell, Registration No. 38,350

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Rao et al.			Docket No. UT-0030
Application No. 09/736,728	Filing Date December 14, 2000	Examiner Hayes, Robert Clinton	Group Art Unit 1647

Invention: **Lineage Restricted Glial Precursors from the Central Nervous System**

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I hereby certify that this **Response to the Notice of Non-Compliant Amendment (37CFR1.121)**
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PAGE 2/7 * RCVD AT 10/13/2004 11:12:27 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID:856 810 1454 * DURATION (mm-ss):02-02

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,728	12/14/2000	Mahendra S. Rao	UT-0030	7449

7590 10/06/2004

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Docket System
Status Report
Docket Book

EXAMINER	
HAYES, ROBERT CLINTON	

ART UNIT	PAPER NUMBER
1647	

DATE MAILED: 10/06/2004

11/6/04

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9/30/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
- ☐ B. New paragraph(s) should not be underlined.
- ☐ C. Other _____

☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
- ☐ B. Other _____

☐ 3. Amendments to the drawings: _____

☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
- ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
- ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
- ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
- ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE)**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Gloria J Hammell — Legal Instruments Examiner (LIE)

571-272-0561 — Telephone No.

Rev. 6/04